

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB75)**

Received: **06/11/2009**

Received By: **btradewe**

Wanted: **Today**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Ferguson**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

LFB:.....Ferguson -

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**Topic:**

Lake Koshkonong study

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	btradewe 06/11/2009	wjackson 06/11/2009	mduchek 06/11/2009	_____	mbarman 06/11/2009		
/P2	btradewe 06/11/2009	wjackson 06/11/2009	rschluet 06/11/2009	_____	lparisi 06/11/2009		

FE Sent For:

<END>

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/P1	btradewe 06/11/2009	wjackson 06/11/2009	mduchek 06/11/2009	_____	mbarman 06/11/2009		

FE Sent For:

1/2 Wlj 6/11



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/P1	btradewe	/pl Wlj 6/11					

FE Sent For:

<END>

**Kite, Robin**

---

**From:** Ferguson, Paul  
**Sent:** Thursday, June 11, 2009 1:33 PM  
**To:** Kite, Robin  
**Subject:** Lake Koshkonong

**Attachments:** 20090611134058394.pdf

Robin,  
I'll call in a moment.



2009061113405839  
4.pdf (228 KB)...

Paul O. Ferguson  
Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
(608) 266-3847  
[Paul.Ferguson@legis.wisconsin.gov](mailto:Paul.Ferguson@legis.wisconsin.gov)

*Joint Committee on Finance*  
**2009-11 Budget Motion Request**

**Date:** 5-4-2009

**Legislator:** Rep. Andy Jorgensen

**Staff Contact:** Darryl Teske

**Legislator's JFC Designee:** Rep. Mark Pocan

**Statement of Motion Intent:**

Provide \$100,000 to the Rock-Koshkonong Lake District for lake improvements.

**Agency:** DNR

**Summary:**

Before dredging and improvement of Lake Koshkonong can occur, the Army Corp of Engineers must do a full scale study of shoreline, lake and river habitat. The Cost of this study is estimated at \$200,000. We seek \$100,000 from the state of Wisconsin to leverage \$100,000 from the Army Corp of Engineers. Any additional costs associated with the study would be covered by the Lake District.

See Attached Documentation

**Fiscal Impact:** \$100,000 Targeted Grant Funding, not new GPR

**Funding Source:** Non-point pollution fund.

# Rock-Koshkonong Lake District

RKLD.org

Brian Christianson  
Edgerton  
Chairman

Jeff Folk  
Fl. Atkinson  
Commissioner

Ray Lunder  
Milton  
Treasurer

Frank Micale  
Fl. Atkinson  
Commissioner

Ed Sandner  
Fl. Atkinson  
Secretary

Sup. Dave Brown  
Town of Fulton  
Appointee

Sup. Mary Mawhinney  
Rock County  
Appointee

## LAKE KOSHKONONG COMPREHENSIVE MANAGEMENT PLAN PROPOSAL

The Rock Koshkonong Lake District proposes a strategic study of options to manage the State's third largest inland lake for broad public benefits. The water quality and recreational value of Lake Koshkonong is compromised by continuing loss of wetlands and diminishing opportunities for recreational boaters. Key user groups have been engaged in a long running dispute over the lake's water levels, even though the current structure of the Indianford Dam is not adequate to achieve the management goals of either side.

The District was given statutory authority to implement a Lake Koshkonong Comprehensive Project in 2003. Under Wis. Stat. § 30.2025, the District is authorized to implement a project to enhance recreational use of the lake through improvement of navigation and the protection and restoration of wetlands, fish and wildlife habitat. That statute authorizes the District to place structures and fill on the bed of the lake in order to accomplish these purposes.

Lake Koshkonong is already a cornerstone of the regional tourism economy. The recent decline in manufacturing jobs places an elevated importance on the role of recreation-based jobs and economic activity focused on the lake and the Rock River. The District proposes to undertake a comprehensive analysis of strategic options to manage the lake that will meet the objectives of § 30.2025, including:

- construction of breakwaters or artificial islands,
- dredging of navigational channels,
- modification of the Indianford Dam to better manage lake water levels,
- analysis of the economic benefits Lake Koshkonong brings to the regional economy and evaluation of economic impacts for actions to enhance habitat and improve navigation.

The comprehensive study proposed by the District would be undertaken in collaboration with state and federal agencies with critical roles in the management of Lake Koshkonong and its watershed, including the U.S. Army Corps of Engineers, the US Fish and Wildlife Service, Wisconsin DNR, affected local governments and nongovernmental organizations.

Since it was established in 1999, the District has undertaken extensive biological and hydrological studies of the lake and its ecosystem. These have been supported chiefly through assessments levied by the District and small state cost sharing grants.

In addition, the U.S. Army Corps of Engineers has completed a preliminary analysis of habitat restoration options for Lake Koshkonong, focused on the placement of breakwaters and similar structures that would stem the loss of wetlands vital to waterfowl and wildlife habitat.

The District's proposed comprehensive study would describe and evaluate strategic options for management of this complex lake/wetland ecosystem. The Corps Rock Island Regional office has proposed to assist the District under the federal PAS (Planning Assistance to the States) Program. The District propose to fund the effort (including matching funds required under the PAS program) using a combination of local and state funds.

*Cap option*  
The DNR provides cost sharing grants under three programs that assist local lake and river management efforts: river protection grants under s. 281.70, lake planning grants under s. 281.68 and lake management grants under s. 281.69. Under these grant programs, state funds provide up to 75% of eligible project costs to qualifying applicants, including the District. Although the District's proposed comprehensive plan project would qualify for grant funds under both the river management and lake planning grant programs, program caps limit individual grants at \$10,000 to \$50,000. Under the lake management grant program, DNR is authorized to approve grants up to \$200,000, but the comprehensive study would not qualify for funding under existing statutory language.

In order to provide state matching funds for the priority management needs of Lake Koshkonong, the District seeks Legislative approval for nonstatutory language directing DNR to provide grant funds from one or more of these appropriations to support up to 50 percent of the non-federal costs of its comprehensive study, not to exceed \$100,000 and for an amendment to s. 30.3025 to clarify the District's authority to implement its selected management alternative.

#### DESCRIPTION OF THE PROPOSED STUDY.

The proposed study will address strategic options for management of Lake Koshkonong, to evaluate the following:

- Effectiveness in improving shoreline, lake and river habitat;
- Effectiveness in improving shoreline resident's enjoyment of the lake;
- Effectiveness in supporting long-term enhancement of property values, recreational employment opportunities, and advancing Lake Koshkonong as a regional recreational destination; and;
- Phased completion of plan elements, and specific planning for updates as objectives and natural conditions on the lake change in the future.

#### Data update

- Fieldwork (collaboratively conducted between district and DNR personnel) to update data collected earlier;
- Incorporation of data already collected by the US Army Corps of Engineers as part of planning activities for a Section 206 project that was not completed;
- Update of the district's database on shoreline character and damage that resulted from the flooding of 2008

Development and analysis of alternatives, including

- Means to prevent natural wetland shoreline erosion, through use of breakwaters, islands, or other means to attenuate wetland shoreline erosion;
- Means to enhance wetland and upland habitat function adjacent to the lake;
- Approaches to address navigational hazards, including dredging of selected areas
- Approaches to increase the ability of Indianford Dam to reliably control lake water levels and therefore more reliably achieve lake management objectives;
- Enhancements to recreational boating or fishery management to increase the attractiveness of the lake as a regional resource;
- Analysis of the impact of management alternatives on Lake habitat, recreation, property values, and regional economic development.

**Cost and schedule**

The plan must be based upon accurate data, must consider a range of alternatives, and must include clear analysis of ecological as well as economic benefits. Therefore, completion of the plan will be a fairly intense effort.

It is anticipated that development and review of an appropriate comprehensive plan, together with the public informational and regulatory agency conversations that will be required will cost \$200,000.

The district will contribute to this effort with its own funding, and through in-kind services of District volunteers in data collection and review. However, the district will need additional help in this effort, anticipated to be as follows:

1. Funding provided under the US Army Corps of Engineers planning assistance to states program (section 22 of the water resources development act of 1974) funding under this program could range from \$50,000 to over \$100,000.
2. Funding provided by the State of Wisconsin as assistance to the Rock Koshkonong Lake District: \$100,000 to \$150,000.

We anticipate project work could get underway in the summer of 2009, resulting in a comprehensive plan completed in the summer of 2010, with construction programming to follow.



## Kite, Robin

---

**From:** Ferguson, Paul  
**Sent:** Thursday, June 11, 2009 1:45 PM  
**To:** Kite, Robin; Gibson-Glass, Mary  
**Subject:** Lake Koshkonong

Robin and Mary,

I forgot to note on the phone earlier with Robin that the \$100,000 in funding would be in 2009-10, which would allow it to be encumbered at least, if not spent all in that year. The funding would be \$50,000 GPR, and \$50,000 nonpoint account [20.370(6)(dq) for urban nonpoint source grants]. We envision this being drafted similar to the provision for the flood mitigation study for the village of Bagley. This Bagley provision is on pp. 289 and 1820 of the substitute amendment.

Thanks! Call with any questions if they arise.

Best,  
Paul

Paul O. Ferguson  
Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
(608) 266-3847  
[Paul.Ferguson@legis.wisconsin.gov](mailto:Paul.Ferguson@legis.wisconsin.gov)

## Kite, Robin

---

**From:** Ferguson, Paul  
**Sent:** Thursday, June 11, 2009 1:52 PM  
**To:** Kite, Robin; Gibson-Glass, Mary  
**Cc:** Hinz, Daryl  
**Subject:** More Koshkonong

Daryl has suggested that for the \$50,000 GPR portion, the appropriation created by draft b0913 (by Becky) relating to the Petenwell/Castle Rock monitoring study could be modified to include both the Petenwell/Castle Rock and Koshkonong studies. I assume the appropriate amounts for each purpose could simply be designated in the appropriation language. Again, call if there's anything you wish to discuss further.

Paul O. Ferguson  
Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
(608) 266-3847  
Paul.Ferguson@legis.wisconsin.gov



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBb0976/P1

RCT. f:...

WLj

IN 6/10

LFB:.....Ferguson - Lake Koshkonong study

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**  
**TO 2009 ASSEMBLY BILL 75**

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 129, line 5: after that line insert:

3 (3) "(ac) Lake Koshkonong study GPR A 50,000 -0-".

4 ↓ 2. Page 289, line 2: after that line insert:

5 "SECTION 276p. 20.370 (6) (ac) of the statutes is created to read:

6 20.370 (6) (ac) *Lake Koshkonong study*. The amounts in the schedule for the  
grant for the study of Lake Koshkonong under 2009 Wisconsin Act .... (this act),

7 Ed-you  
8 pick  
9 the #  
10 letter  
here  
asp.  
→ section 9137 (p). 6i

↓ 3. Page 289, line 18: delete "grant" and substitute "grant grants".

4. Page 289, line 19: after "(5q)" insert "and ( )". 6i

1821  
12  
5. Page 1826, line 24: after that line insert:

61  
10  
“(1) LAKE KOSHKONONG STUDY. In fiscal year 2009-20, the department shall  
provide a grant of \$100,000 from the ~~appropriations~~ <sup>STE</sup> ~~under~~ <sup>accounts</sup> section 20.370 (6) (ac) of  
the statutes, as created by this act and section 20.370 (6) (dq) of the statutes, as  
affected by this act, to the Rock-Koshkonong public inland lake protection and  
rehabilitation district for a study of Lake Koshkonong’s habitat and options for  
managing the lake.”.

(END)

## **Tradewell, Becky**

---

**From:** Ferguson, Paul  
**Sent:** Thursday, June 11, 2009 3:22 PM  
**To:** Tradewell, Becky  
**Subject:** Koshkonong

Becky,

I apologize for not specifying this earlier. In addition to the language included in the draft, we'd like to have the draft changed to add \$50,000 SEG to the Ch. 20 schedule under 20.370(6)(dq). That appropriation would increase to \$1,382,200 in 2009-10, or \$69,000 higher than FY 11 to reflect the Bagley and Koshkonong grants.

Call me with any questions or concerns.

Best,  
Paul

Paul O. Ferguson  
Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
(608) 266-3847  
Paul.Ferguson@legis.wisconsin.gov

**1. KOSHKONONG COMPREHENSIVE LAKE MANAGEMENT STUDY**

Change to JFC	
GPR	\$50,000
SEG	<u>50,000</u>
Total	\$100,000

Provide \$50,000 GPR and \$50,000 nonpoint SEG in 2009-10 for DNR to award a grant to the Rock-Koshkonong Lake District for a comprehensive study of options and structures to preserve wetlands, shoreline, fish and wildlife habitat, and the navigability of Lake Koshkonong in Rock and Jefferson Counties. Specifically, the study would evaluate: (a) breakwaters or artificial islands to prevent shoreline erosion; (b) methods for enhancing habitat adjacent to the lake; (c) possible dredging of navigational channels to decrease hazards to watercraft; (d) modifying operations of the dam in Indianford, which impounds the Rock River to form Lake Koshkonong, to more reliably control lake water levels; and (e) effects of these lake management approaches on tourism, local property values and economic development.

## Tradewell, Becky

---

**From:** Ferguson, Paul  
**Sent:** Thursday, June 11, 2009 3:36 PM  
**To:** Tradewell, Becky  
**Subject:** More Koshkonong

**Attachments:** PF Koshkonong.doc

Becky,  
As we look at the draft, we think we'd like to add some more specificity to the grant requirements. I'm attaching the summary we've put together as one possible suggestion. This is from my reading of the lake district's memo/proposal. Let me know if you see a need for different language than that contained in the attachment.

Best,  
Paul

Paul O. Ferguson  
Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
(608) 266-3847  
[Paul.Ferguson@legis.wisconsin.gov](mailto:Paul.Ferguson@legis.wisconsin.gov)



PF  
shkonong.doc (30 K)

**Tradewell, Becky**

---

**From:** Ferguson, Paul  
**Sent:** Thursday, June 11, 2009 4:28 PM  
**To:** Tradewell, Becky  
**Subject:** Koshkonong

Becky,  
Just for the sake of accuracy, I believe Lake Koshkonong is also located in Dane County, although it's only the tiniest little bit of the lake.

Best,  
Paul

Paul O. Ferguson  
Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
(608) 266-3847  
Paul.Ferguson@legis.wisconsin.gov

*Per Paul - I don't need to mention counties.  
Ret*





State of Wisconsin  
2009 - 2010 LEGISLATURE

In 6/11

LRBb0976/11

RCT:wlj:md

Stays

my

LFB:.....Ferguson - Lake Koshkonong study

**FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 2009 ASSEMBLY BILL 75**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 129, line 5: after that line insert:

3 *Insert* → “(ac) Lake Koshkonong study GPR A 50,000 -0-”.

4 **2.** Page 289, line 2: after that line insert:

5 **“SECTION 276p.** 20.370 (6) (ac) of the statutes is created to read:

6 20.370 (6) (ac) *Lake Koshkonong study*. The amounts in the schedule for the  
7 grant for the study of Lake Koshkonong under 2009 Wisconsin Act .... (this act),  
8 section 9137 (6i).”.

9 **3.** Page 289, line 18: delete “grant” and substitute “grant grants”.

10 **4.** Page 289, line 19: after “(5q)” insert “and (6i)”.

**5.** Page 1821, line 12: after that line insert:

“(6i) LAKE KOSHKONONG STUDY. In fiscal year 2009–10, the department shall provide a grant of \$100,000 from the appropriations under section 20.370 (6) (ac) of the statutes, as created by this act, and section 20.370 (6) (dq) of the statutes, as affected by this act, to the Rock-Koshkonong public inland lake protection and rehabilitation district for a study of Lake Koshkonong’s habitat and options for managing the lake.”

**(END)**

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0976/P2ins  
RCT:.....

1           **Insert 1-3**

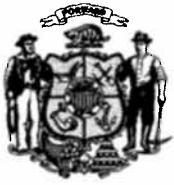
2           **1.** Page 130, line 19: increase the dollar amount for fiscal year 2009-10 by  
3           \$50,000 for the purpose of a study of Lake Koshkonong.

4           **Insert 2-7**

5           comprehensive study of options and structures to preserve wetlands, shoreline,  
6           fish and wildlife habitat, and the navigability of Lake Koshkonong

NOFF

STET



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBb0976/P2  
RCT:wlj:rs

LFB:.....Ferguson – Lake Koshkonong study

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**(END)**